

1 **SAO**

2 ROBERT E. SCHUMACHER, ESQ.

3 Nevada Bar No.7504

4 **GORDON REES SCULLY MANSUKHANI, LLP**

5 300 S. 4th Street, Suite 1550

6 Las Vegas, NV 89101

7 Telephone: (702) 577-9300

8 Direct Line: (702) 577-9319

9 Facsimile: (702) 255-2858

10 Email: rschumacher@grsm.com

11 *Attorneys for Defendant,*

12 **ONE NEVADA CREDIT UNION**

13 **UNITED STATES DISTRICT COURT**

14 **FOR THE DISTRICT OF NEVADA**

15 JORGE HERNANDEZ CASTRO, an)
16 individual, on behalf of himself and all others)
17 similarly situated,)

18 Plaintiff,)

19 vs.)

20 ONE NEVADA CREDIT UNION,)

21 Defendant.)

CASE NO.: 2:22-cv-01563-GMN-BNW

**STIPULATION AND [PROPOSED]
ORDER TO AMEND DISCOVERY
PLAN AND SCHEDULING ORDER
(THIRD REQUEST)**

22 Defendant ONE NEVADA CREDIT UNION (“Defendant”), by and through its attorneys
23 of record, Robert E. Schumacher, Esq. of the law firm of GORDON & REES LLP, and Plaintiff
24 JORGE HERNANDEZ CASTRO (“Plaintiff”) by and through his attorney of record, Eduardo
25 Casas, Staff Attorney, Los Angeles Regional Office, Mexican American Legal Defense and
26 Educational Fund, hereby stipulate and agree, subject to this Court’s approval, to extend the
27 discovery deadlines set forth in the September 14, 2023 Stipulated Discovery Plan and
28 Scheduling Order [ECF No. 37] by 60 days. This is the parties’ third request to extend discovery
deadlines in this case. This stipulation is entered into in good faith and not for purposes of undue
delay.

I. STIPULATION AND PROPOSED ORDER TO AMEND DISCOVERY PLAN AND SCHEDULING ORDER

Based on the Stipulated Discovery Plan and Scheduling Order (ECF No. 37) dated January 10, 2024, the current discovery deadlines are as follows:

- a) Discovery Cut-Off Date: April 24, 2024
- b) Dispositive Motions: July 12, 2024
- e) Pre-Trial Order: August 27, 2024

In compliance with LR 6-1 and 26-4, the parties submit that good cause exists to extend the above-referenced discovery deadlines by 60 days. The parties have been engaging in good faith fact-finding and informal settlement discussions and believe that they are close to reaching an amicable agreement to the litigation. However, the settlement negotiations remain pending due to the parties working to locate and review numerous records/documents dating back to 2013 deemed necessary to reach a mutual resolution. Given these ongoing discussions, the parties seek to extend the discovery deadlines by 60 days to conduct discovery.

1. Discovery completed.

The parties attended a telephonic FRCP 26(f) conference, which resulted in entry of the Joint Discovery Plan and Scheduling Order [ECR No. 27].

The parties have engaged in fact-finding discussions regarding the scope of Defendant's existing policies and an exchange of information regarding Defendants' records and history related to the claims made by Plaintiff.

The parties have also engaged in settlement discussions regarding the potential size of the alleged class, potential settlements terms, and so forth.

In an attempt to avoid unnecessary costs the parties have not yet engaged in formal discovery.

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1 **2. Discovery that remains to be completed.**

2 To the extent that the ongoing informal settlement discussions are unsuccessful, the
3 parties intend to serve written discovery in the form of interrogatories, requests for admissions,
4 and requests for documents. The parties also intend to depose several fact witnesses.

5 **3. Reason why the remaining discovery cannot be completed within the time**
6 **limits set by the current Amended Joint Discovery Plan and Scheduling**
7 **Order.**

8 As discussed above, the parties feel that they are close to reaching an amicable settlement
9 of the litigation. If the discussions are unsuccessful, the parties are confident that all remaining
10 discovery can be completed by the proposed close of discovery set forth below.

11 **4. Proposed Discovery Schedule**

12 The parties agree to and propose a 60-day extension of the current discovery deadlines as
13 follows:

- 14 a) Discovery Cut-Off Date: **June 24, 2024** (formerly April 24, 2024)
15 b) Dispositive Motions: **September 10, 2024** (formerly July 12, 2024)
16 e) Pre-Trial Order: **October 27, 2024** (formerly August 27, 2024)¹

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¹ But if dispositive motions are filed, 30 days after decision on the dispositive motions or further order of the court.

1 THEREFORE, the parties stipulate and request that the Court enter an order approving
2 the proposed discovery schedule as set forth above.

3 **STIPULATED AND AGREED**

4 Dated April 23rd, 2024

Dated April 23rd, 2024

5 **LOS ANGELES REGIONAL**
6 **OFFICE, MEXICAN AMERICAN**
7 **LEGAL DEFENSE AND**
8 **EDUCATIONAL FUND**

GORDON REES SCULLY
MANSUKHANI LLP

9 /s/ Eduardo Casas

10 EDUARDO CASAS, ESQ.

11 Staff Attorney

12 634 S. Spring Street, 11th Floor

13 Los Angeles, CA 90014

14 *Attorney for Plaintiff*

15 **JORGE HERNANDEZ CASTRO**

/s/ Robert E. Schumacher

ROBERT E. SCHUMACHER, ESQ.

Nevada Bar No. 7504

300 S. 4th Street, Suite 1550

Las Vegas, Nevada 89101

Attorney for Defendant

ONE NEVADA CREDIT UNION

16 **ORDER**

17 **IT IS SO ORDERED**

18 
19 **UNITED STATES DISTRICT JUDGE**

20 **DATED: 4/26/2024**

Gordon Rees Scully Mansukhani, LLP
300 S. 4th Street, Suite 1550
Las Vegas, NV 89101